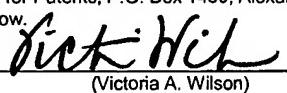


I hereby certify that this correspondence is being deposited with the U.S. Postal Service as Express Mail, Airbill No. EV470627844US, in an envelope addressed to MS Amendment, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450, on the date shown below.

Dated: August 4, 2004 Signature:



(Victoria A. Wilson)

Docket No.: 514112900300
(PATENT)

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Plant Application of:
James F. DOYLE et al.

Application No.: 10/685,876

Art Unit: 1661

Filed: October 14, 2003

Examiner: S. McCormick Ewoldt

For: PRUNE TREE NAMED 'D6N-72'

AMENDMENT IN RESPONSE TO NON-FINAL OFFICE ACTION

MS Amendment
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Dear Sir:

INTRODUCTORY COMMENTS

This is in response to the non-final Office Action dated April 5, 2004 (Paper No. 0323), for which a response was due on July 5, 2004. Filed herewith is a Petition and fee for a one month's extension of time, thereby extending the deadline for response to August 5, 2004. Accordingly, this response is timely filed. Reconsideration and allowance of the pending claims, as amended, in light of the remarks presented herein are respectfully requested.

Amendments to the Specification begin on page 2 of this paper.

Amendments to the Claims are reflected in the listing of claims which begins on page 3 of this paper.

Remarks/Arguments begin on page 4 of this paper.